

**§ 2583. Repealed. Pub. L. 96-574, § 20, Dec. 22, 1980, 94 Stat. 3352**

Section, Pub. L. 91-577, title III, § 144, Dec. 24, 1970, 84 Stat. 1559, exempted certain plants from provisions of this chapter.

**CHAPTER 58—POTATO RESEARCH AND PROMOTION**

- Sec.  
2611. Congressional findings and declaration of policy.  
2612. Definitions.  
2613. Authority for issuance and amendment of plan.  
2614. Notice and hearings.  
2615. Finding and issuance of plan.  
2616. Regulations.  
2617. Required terms and conditions of plans.  
    (a) National Potato Promotion Board; establishment; powers and duties.  
    (b) Membership of board.  
    (c) Compensation and expenses of board members.  
    (d) Budget; preparation and submission.  
    (e) Assessment rate per poundage handled; limitation.  
    (f) Restrictions.  
    (g) Research, development, advertising or promotion programs or projects; development and submission by board; approval by Secretary.  
    (h) Contract authority of board; funds for payment of cost.  
    (i) Recordkeeping; reports for accounting; receipts and disbursements; audit report.  
2618. Permissive terms and conditions of plans.  
    (a) Exemptions.  
    (b) Handler payment and reporting schedules.  
    (c) Advertisement and sales promotion programs or projects.  
    (d) Research and development projects and studies for marketing and utilization of potatoes.  
    (e) Reserve funds; accumulation; limitation.  
    (f) Foreign markets; sales development and expansion.  
    (g) Assessment; refund.  
    (h) Assessment authority.  
    (i) Incidental and necessary terms and conditions.  
2619. Assessments.  
    (a) Collection and payment; record-keeping; limitation.  
    (b) Records and reports; availability.  
    (c) Confidential information; disclosure during proceedings; prohibition inapplicable to general statements and publication of violations; penalties; removal from office.  
2620. Procedural rights of persons subject to plan.  
    (a) Administrative proceedings; petition; hearing; finality of ruling.  
    (b) Judicial review; jurisdiction; complaint; remand; relief during pendency of proceedings.  
2621. Enforcement.  
    (a) Jurisdiction of United States district courts; administrative action.  
    (b) Civil penalties; cease and desist orders; appeal; failure to comply with order or assessment; further proceedings and penalties.  
2622. Investigations.  
    (a) Administration of oath; subpoena; contempt; process; jurisdiction.

- Sec.  
2623. Referendum.  
    (b) Self-incrimination; privilege.  
    (a) Secretary's duty to conduct; purpose of referendum.  
    (b) Required margin of approval.  
    (c) Amendments.  
    (d) Penalties for disclosure of confidential information, ballots and reports.  
2624. Suspension or termination of plans.  
    (a) Duty of Secretary.  
    (b) Referendum.  
    (c) Limitation.  
2625. Amendment procedure.  
2626. Separability.  
2627. Authorization.

**CHAPTER REFERRED TO IN OTHER SECTIONS**

This chapter is referred to in section 7401 of this title.

**§ 2611. Congressional findings and declaration of policy**

Potatoes are a basic food in the United States and foreign countries. They are produced by many individual potato growers in every State in the United States and imported into the United States from foreign countries. In 1966, there were one million four hundred and ninety-seven thousand acres of cropland in the United States devoted to the production of potatoes.

Potatoes and potato products move in the channels of interstate or foreign commerce, and potatoes which do not move in such channels directly burden or affect interstate commerce in potatoes and potato products.

The maintenance and expansion of existing potato markets and the development of new or improved markets are vital to the welfare of potato growers and those concerned with marketing, using, and processing potatoes as well as the general economic welfare of the Nation.

Therefore, it is the declared policy of the Congress and the purpose of this chapter that it is essential in the public interest, through the exercise of the powers provided herein, to authorize the establishment of an orderly procedure for the financing, through adequate assessments on all potatoes harvested in the United States for commercial use and imported into the United States from foreign countries, and the carrying out of an effective and continuous coordinated program of research, development, advertising, and promotion designed to strengthen potatoes' competitive position, and to maintain and expand domestic and foreign markets for potatoes and potato products.

(Pub. L. 91-670, title III, § 302, Jan. 11, 1971, 84 Stat. 2041; Pub. L. 101-624, title XIX, § 1936, Nov. 28, 1990, 104 Stat. 3865.)

**AMENDMENTS**

1990—Pub. L. 101-624, in first par., inserted “and foreign countries” and “and imported into the United States from foreign countries” and struck out at end “Approximately two hundred and seventy-five million hundredweight of potatoes have been produced annually during the past five years with an estimated sales value to the potato producers of \$561,000,000.”; in second par., struck out “, in a large part,” after “products move”, inserted “or foreign”, and struck out at end “All potatoes produced in the United States are in the current of interstate commerce or directly burden, obstruct, or affect interstate commerce in potatoes and